IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 19TH JULY 2007 / 28TH ASHADHA 1929

Bail Appl..No. 4427 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.3744/2007 Dated 02/07/2007

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(CRIME NO.227/2007 OF MARARIKUKLAM, POLICE STATION)

: PETITIONER 3RD ACCUSED

AJAY JAYAKUMAR,
SINDOOR, ANCHERIL GRADEN,
GANDHI NAGAR P.O., KOTTAYAM.

BY ADV. DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR
SRI.M.R.JAYAPRASAD
SRI.K.K.RAJEEV

RESPONDENTS: STATE & COMPLAINANT

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1. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
MARARIKUKLAM POLICE STATION, ALAPPUZHA DISTRICT.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.4427 of 2007

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Dated this the 19th day of July, 2007

ORDER

The petitioner faces indictment in a crime registered under Section 498A IPC. Some of the co-accused were granted anticipatory bail as per order dated 2.7.07 in B.A.No.3744 of 2007. In that application the petitioner was also shown as one of the petitioners. But his application was not pressed as he was not available in India at that point of time. The petitioner has now come to India. He repeats the prayer for grant of anticipatory bail. The application is not opposed and I am satisfied that the petitioner can also be granted anticipatory bail on identical conditions as were granted to the co-accused by order dated 2.7.07. In the result this application is allowed. Following directions are issued under Section 438 Cr.P.C.

i) The petitioner shall appear before the learned Magistrate having jurisdiction at 11 am on 26.7.07. He shall be released on regular bail on his executing a bond for Rs.25,000/-(Rupees Twenty Five Thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate .

ii) The petitioner shall make himself available for interrogation

before the Investigating Officer between 10 a.m and 1p.m on 27.7.07 and 28.07.07 and thereafter on all Mondays and Fridays,between 10 a.m. and 12 noon for a period of one month. Thereafter, he shall make himself available for interrogation as and when directed by the Investigating Officer in writing to do so.

iii) If the petitioner does not surrender before the learned Magistrate as directed in clause (i), all directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioner and deal with him in accordance with law.

iv) If the petitioner were arrested prior to his surrender on 26.07.07 to the learned Magistrate as directed in clause (i) above, he shall be released forthwith on his executing a bond of Rs.25,000/- (Rupees Twenty five thousand only) without any sureties undertaking to appear before the learned Magistrate on 26.07.07.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE